

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARK ANTHONY BROWN,  
Plaintiff,  
v.  
D. EARLS Jr., *et al.*,  
Defendants.

Case No. 2:22-cv-00359-JDP (PC)

**ORDER TO SHOW CAUSE**

RESPONSE DUE WITHIN TWENTY-ONE  
DAYS

On October 10, 2023, defendants filed a motion to compel. ECF No. 29. After plaintiff failed to file a response, on February 8, 2024, I directed plaintiff to file an opposition or statement of non-opposition to defendants' motion within twenty-one days. ECF No. 37. To date, plaintiff has not filed a response.


To manage its docket effectively, the court requires litigants to meet certain deadlines. The court may impose sanctions, including dismissing a case, for failure to comply with its orders or local rules. *See* Fed. R. Civ. P. 41(b); E.D. Cal. L.R. 110; *Hells Canyon Pres. Council v. U.S. Forest Serv.*, 403 F.3d 683, 689 (9th Cir. 2005); *Carey v. King*, 856 F.2d 1439, 1440-41 (9th Cir. 1988). Involuntary dismissal is a harsh penalty, but a district court has a duty to administer justice expeditiously and avoid needless burden for the parties. *See Pagtalunan v. Galaza*, 291 F.3d 639, 642 (9th Cir. 2002); Fed. R. Civ. P. 1.

I will give plaintiff a chance to explain why the court should not dismiss the case for his

1 failure to file an opposition or statement of non-opposition to defendants' motion. Plaintiff's  
2 failure to respond to this order will constitute a failure to comply with a court order and will result  
3 in a recommendation that this action be dismissed. Accordingly, plaintiff is ordered to show  
4 cause within twenty-one days why this case should not be dismissed for failure to prosecute and  
5 failure to comply with court orders. Should plaintiff wish to continue with this lawsuit, he shall  
6 file, within twenty-one days, an opposition or statement of non-opposition to defendants' motion.

7  
8 IT IS SO ORDERED.

9 Dated: March 19, 2024

  
JEREMY D. PETERSON  
UNITED STATES MAGISTRATE JUDGE